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Michael C Stuart Cohen Pontani Lieberman & Pavane 551 Fifth Avenue Suite 1210 New York, NY 10176			EXAMINER LIOU, JONATHAN	
			ART UNIT 2616	PAPER NUMBER

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/009,443

Applicant(s)

ALLAHWERDI, NOURI

Examiner

Jonathan Liou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-97 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-97 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office action is in response to applicant's paper filed 03/22/2006. Claims 1-97 as amended are currently pending in the application. Claims 1-97 stand rejected.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6, 8, 12-16, 18-22, 23-31, 43-45, 49-52, 56-59, 61, 65-69, 71-72, 76-80, 82-84, 88-92, and 94-97 are rejected under 35 U.S.C. 102(e) as being anticipated by Nordman (US Pat. No. 6,061,346.)

Regarding claim 1, Nordman teaches a network element, said network element being arranged to act between a first IP based network and a second packet data

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network (**GGSN 92 could be interpreted as a network element as claimed and is arranged to act between home IP access control network 94, which could be interpreted as the first IP based network, and backbone network 46, which could be interpreted as the second packet data network. See Fig. 1-2, Nordman.**), said element comprising:

A first interface arranged to communicate with first IP based network using IP protocol to receive signals from and send signals to the first network, said first IP based network being a private computer based network comprising wireless capabilities (**GGSN 92 receives/sends signal from/to home IP network. See Fig. 1, and Home IP network is a computer based network, with a wireless system.**) The tunneling is occurring in the first network 14; hence, the traffic is within first network and without any signaling occurring externally of first network (**See Fig. 1 and col 7, lines 7-25, Nordman.**)

A second interface arranged to communicate with second network via an IP based connection to receive signals from and send signals to the second network (**See col 7, lines 16-26, Nordman**)

Regarding claims 2-3, Nordman teaches the tunneling to commute with the IP network, which would use L2TP protocol (**See col 2, lines 50-59, Nordman.**)

Regarding claims 4, and 23-24, Nordman teaches second network (**Backbone network, which is used to exchange the data network**) would be a GPRS network (**Backbone network support GPRS system to exchange the information into GPRS**)

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format. See Fig. 1) and network element incorporates serving GPRS support node and gateway GPRS support node functionality (**See col 7, lines 1-14, Nordman.**)

Regarding claims 5, and 25-27, Nordman teach IP layer include in protocol stack (**See col 3, lines 13-18, Nordman.**)

Regarding claims 6, 28-31, Nordman teach second interface is arranged to communicate with a gateway element of second network (**Backbone network would perform routing and exchanging information; hence, it would have a gateway system. Nordman shows the GGSN 92 connected to Backbone network. See Fig. 1, Nordman.**)

Regarding claim 8, a communications system has the same limitation as claim 1; thus, the same rationale and basis as applied to claim 1 are applied.

Regarding claims 12-13, Nordman teaches the wireless system and GSM (**See col 3, lines 56-65, and Fig. 1, Nordman.**)

Regarding claim 14, Nordman teach the second network as the backbone network with plurality of connection to packet radio service network (**Fig. 1 and col 2, lines 26-38, Nordman.**)

Regarding claims 15, and 43-45, Nordman teach the first network having wireless intranet capability; thus, the system performs the same function as WIO as claimed (**See col 5, lines 41-45, and col 7, lines 16-26, Nordman.**)

Regarding claims 16, 18-19, 49-52, 56-59, and 61, Nordman teach the first network storing information relating to user relating to the identification of the user and

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registration of those information (**See col 3-4, lines 66-22 and col 4-5, lines 54-17, Nordman.**)

Regarding claims 20, 65-69, and 71-72, Nordman teach backbone network is a routing network for exchange the data information and serving GPRS support node is also used to support the GPRS system (**Fig. 1 and col 9, lines 24-32, Nordman.**)

Regarding claims 21, 76-80, and 82-84, Nordman teach Home IP access control network 94, which is a wireless local area network as claimed and the second network would perform GPRS mode since there is connection to serving GPRS support node (**Fig.1, Nordman**).

Regarding claims 22, 88-92, and 94-97, Nordman teach the element is part of first network 14 (**Fig. 1, Nordman.**)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7, 17, 32-36, 60, 70, 81, and 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordman (US Pat. No. 6,061,346.), in view of M. Wahl (RFC 2251.)

Regarding claims 7, 17, Nordman teaches the limitations according to claim 1 and claim 16. Nordman does not teach LDAP protocol to communicate; however, M. Wahl teaches using LDAP to provide security services (See page 3, M. Wahl.) and

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LDAP is protocol to widely used as an internet protocol (See sec 3. Models on page 3, M. Wahl.) Nordman teaches the structure to provide the security service (See col 4, lines 35-41, Nordman.) and also intranet system (See col 5, lines 41-45, Nordman.) Therefore, it would have been obvious to one who has ordinary skill in the art at the time the invention was made to use LDAP as the protocol to communicate because it would enhance the system security purpose. Moreover, Nordman teaches the structure to provide the security service (See col 4, lines 35-41, Nordman.) and also intranet system (See col 5, lines 41-45, Nordman.)

Regarding claims 32-36, the same basis and rationale as applied to claim rejections 2-7 are applied.

Regarding claims 60, 70, 81, and 93, the same basis and rationale as applied to claim rejections 17, 19- 22 are applied.

5. Claims 9-11, 37-39, 40-42, 46-48, 53-55, 60, 62-64, 73-75, and 85-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordman (US Pat. No. 6,061,346.), in view of Y. Rekhter (RFC 1771.)

Regarding claim 9-10, Nordman teaches the limitation according to claim 8. Nordman does not specifically teach the second network is connected to element by a border gateway. However, Y. Rekhter teaches the border gateway is to be used in authentication scheme and used for the internet (See page 3, on introduction section, Y. Rekhter.) Nordman teaches authentication and use the second network to connected to internet system (See col 6, lines 55-62, col 7, lines 16-26, Nordman.), and Nordman also teach tunneling authentication (See col 4, lines 42-53, Nordman.) Therefore, it

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would have been obvious to one having ordinary skill in the art at the time the invention was made to use a border gateway to connect the second network with elements because it would enhanced the autonomous systems. Moreover, Nordman teaches authentication and use the second network to connected to internet system (See col 6, lines 55-62, col 7, lines 16-26, Nordman.)

Regarding claim 11, Y. Rekhter teaches BFP could be represented in virtually all commercial routers and host (see page 3, Y. Rekhter.), and Nordman teaches virtual private network system for tunnel authentication (See col 4-5, lines 54-17, Norman.)

Regarding claims 37-39, 40-42, 46-48, 53-55, 60, 62-64, 73-75, and 85-87, the same basis and rationale as applied to claim rejections 9-12, 15-18, and 20-22 are applied.

Response to Arguments

6. Applicant's arguments filed 3/22/2006 have been fully considered but they are not persuasive.

Applicant argues Nordman fail to teach, "a private computer based network comprising wireless capabilities," as recited in independent claim 1. However, Nordman teach the private network (14, Fig. 1) comprise wireless capabilities. That is different issue than backbone network (46, Fig. 1) Nordman teach a private IP network is formed of a group of network devices, connected together by way of network connections. In creasing numbers of private IP networks are being created and access thereto by a wireless host is increasingly demanded (Col 2, lines 9-16, Nordman.)

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Applicant argues Nordman fail to teach "an interface ... arranged so that traffic intended fro a user within the first IP based network from another user within said first network can occur without any signaling occurring externally of said first network" as recite din the claim 1. From the claim 1, it does not limit the limitation to avoid the first network go through backbone network. Therefore, examiner believe Nordman teach the limitation recited in the claim 1. Despite of applicant argues Nordman need to go from first network, which having wireless capability, to backbone network as shown in Fig. 2, the wireless capabilities recited in the claim 1 are directly toward the first network and not the second network. Thus, claims 1-97 stand rejected.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jonathan Liou

5/22/2006


RICKY Q. NGO
SUPERVISORY PATENT EXAMINER